



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/266,922	03/12/1999	TOKUNORI KATO	102460	6407
25944	7590	08/09/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320				POKRZYWA, JOSEPH R
ART UNIT		PAPER NUMBER		
		2622		

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/266,922	KATO ET AL.	
	Examiner	Art Unit	
	Joseph R. Pokrzywa	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 28 April 2005.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date, _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 4/28/05 has been entered.

Response to Amendment

2. Applicant's amendment was received on 4/28/05, and has been entered and made of record. Currently, **claims 1-24** are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-24** are rejected under 35 U.S.C. 102(b) as being anticipated by Yatsunami (U.S. Patent Number 5,323,451).

Regarding *claim 1*, Yatsunami discloses a communication terminal apparatus (see Figs. 1 and 3) comprising a first memory (data fixed memory 271) that stores parameters for each of a plurality of geographical divisions (column 12, lines 21-26) and at least one operation-control program (column 12, lines 12-37, and column 13, lines 33-54, whereby a control program seen in Fig. 4 would inherently be stored in the ROM), a second memory (readable writable memory 272, column 13, lines 33-54), and a control device (main controller 29) that customizes the second memory on the basis of parameters for a selected geographical division (column 13, line 11-column 14, line 53), the parameters for the selected geographical division being read from the first memory (column 13, lines 21-37, and column 13, lines 11-54).

Regarding *claim 2*, Yatsunami discloses the apparatus discussed above in claim 1, and further teaches that the parameters for each of a plurality of geographical divisions (column 12, lines 21-64, being the match pattern of each country) include at least one of a geographical division-specific parameter (see Figs. 5, 9, and 10, being the combination of the frequency f_c , duration T_C , rest period T_b , etc.) and a non-geographical division-specific parameter for each of the plurality of geographical divisions (being the match pattern number 1-N, seen in Figs. 5 and 10).

Regarding *claim 3*, Yatsunami discloses the apparatus discussed above in claim 2, and further teaches that if no geographical division-specific parameter has been stored in the second memory, the control device reads at least one of a geographical division-specific parameter regarding the selected geographic division and a non-geographical division-specific parameter regarding the selected geographical division, from the first memory (steps S170 and S180 in Fig. 4), and stores the at least one of a geographical division-specific parameter and the non-

geographical division-specific parameter into the second memory (column 12, line 51-column 13, line 54).

Regarding *claim 4*, Yatsunami discloses the apparatus discussed above in claim 2, and further teaches that if at least one geographical division-specific parameter regarding a first geographical division has already been stored in the second memory and a second geographical division is selected, the control device reads at least one geographical division-specific parameter regarding the selected second geographical division from the first memory (steps S170 and S180 in Fig. 4), and stores the at least one geographical division-specific parameter into the second memory (column 12, line 51-column 13, line 54).

Regarding *claim 5*, Yatsunami discloses the apparatus discussed above in claim 1, and further teaches of an input device (column 9, line 64-column 10, line 14) that allows the user to rewrite parameters stored in the second memory (column 12, lines 21-65), the parameters including a geographical division code (column 12, lines 21-37).

Regarding *claim 6*, Yatsunami discloses the apparatus discussed above in claim 1, and further teaches that the first memory is a read-only non-volatile memory (271) and the second memory (272) is a rewritable non-volatile memory (column 13, lines 33-39).

Regarding *claim 7*, Yatsunami discloses a communication terminal apparatus (see Figs. 1 and 3) comprising a first specification storing device (data fixed memory 271) into which a plurality of specifications (column 12, lines 21-26) and at least one operation-control program are pre-stored (column 12, lines 12-37, and column 13, lines 33-54, whereby a control program seen in Fig. 4 would inherently be stored in the ROM), a selector device (comparator 30) that selects a selected specification from the first specification storing device (column 12, line 51-

column 13, line 54), a second specification storing device (readable writable memory 272) that stores the specification selected by the selector device (column 13, lines 33-54), a determining device (characteristic determinator 6) that determines whether the specification stored in the second specification storing device is a predetermined specification (column 13, line 11-column 14, line 31), and a control device (main controller 29) that performs a control such that a main program starts (steps S250-S260 in Fig. 4), if the determining device determines that the specification stored in the second specification storing device is the predetermined specification (“yes” in step S240 in Fig. 4).

Regarding **claim 8**, Yatsunami discloses the apparatus discussed above in claim 7, and further teaches that specifications include at least one parameter regarding a communication in a geographic division (column 12, lines 21-26, and column 13, lines 33-54).

Regarding **claim 9**, Yatsunami discloses the apparatus discussed above in claim 7, and further teaches that the main program operates on the basis of the specification stored in the second specification storing device (column 13, line 55-column 14, line 31).

Regarding **claim 10**, Yatsunami discloses the apparatus discussed above in claim 7, and further teaches of an output device that outputs a parameter of the specification stored in the second specification storing device (column 13, line 33-column 14, line 31).

Regarding **claim 11**, Yatsunami discloses the apparatus discussed above in claim 7, and further teaches that the first specification storing device includes a read-only non-volatile memory (271) and the second specification storing device (272) includes a rewritable non-volatile memory (column 13, lines 33-39).

Regarding **claim 12**, Yatsunami discloses a method of setting parameters in a communication terminal apparatus (see Figs. 3 and 4) comprising storing parameters for each of a plurality of geographical divisions (column 12, lines 21-26) and at least one operation-control program (column 12, lines 12-37, and column 13, lines 33-54, whereby a control program seen in Fig. 4 would inherently be stored in the ROM) in a first memory location (data fixed memory 271), receiving a selection of a selected geographical division from the plurality of geographic divisions (column 12, line 51-column 13, line 54), customizing a second memory location (readable writable memory 272, column 13, lines 33-54) by storing the parameters for the selected geographical division in the second memory location (column 13, line 11-column 14, line 53), the parameters for the selected geographical division being read from the first memory location (column 13, lines 21-37, and column 13, lines 11-54).

Regarding **claim 13**, Yatsunami discloses the method discussed above in claim 12, and further teaches that the parameters for each of a plurality of geographical divisions (column 12, lines 21-64, being the match pattern of each country) include at least one of a geographical division-specific parameter (see Figs. 5, 9, and 10, being the combination of the frequency f_c , duration TC , rest period Tb , etc.) and a non-geographical division-specific parameter for each of the plurality of geographical divisions (being the match pattern number 1-N, seen in Figs. 5 and 10).

Regarding **claim 14**, Yatsunami discloses the method discussed above in claim 13, and further teaches that if no geographical division-specific parameter has been stored in the second memory location, at least one of a geographical division-specific parameter regarding the selected geographic division and a non-geographical division-specific parameter regarding the

selected geographical division is read from the first memory location (steps S170 and S180 in Fig. 4), and stored in the second memory location (column 12, line 51-column 13, line 54).

Regarding *claim 15*, Yatsunami discloses the method discussed above in claim 13, and further teaches that if at least one geographical division-specific parameter regarding a first geographical division has already been stored in the second memory location and a second geographical division is selected, at least one geographical division-specific parameter regarding the selected second geographical division is read from the first memory location (steps S170 and S180 in Fig. 4), and is stored in the second memory location (column 12, line 51-column 13, line 54).

Regarding *claim 16*, Yatsunami discloses the method discussed above in claim 12, and further teaches of receiving a command to rewrite parameters stored in the second memory location (column 12, lines 21-65), the parameters including a geographical division code (column 12, lines 21-37).

Regarding *claim 17*, Yatsunami discloses a method of setting parameters in a communication terminal apparatus (see Figs. 3 and 4) comprising storing a plurality of specifications (column 12, lines 21-26) and at least one operation-control program are pre-stored (column 12, lines 12-37, and column 13, lines 33-54, whereby a control program seen in Fig. 4 would inherently be stored in the ROM) in a first memory location (data fixed memory 271), selecting a selected specification from the plurality of specifications in the first memory location (column 12, line 51-column 13, line 54), storing the selected specification in a second memory location (readable writable memory 272, column 13, lines 33-54), determining whether the specification stored in the second memory location is a predetermined specification (column 13,

line 11-column 14, line 31), and starting a main program (steps S250-S260 in Fig. 4) if the specification stored in the second memory location is the predetermined specification (“yes” in step S240 in Fig. 4).

Regarding *claim 18*, Yatsunami discloses the method discussed above in claim 17, and further teaches that specifications include at least one parameter regarding a communication in a geographic division (column 12, lines 21-26, and column 13, lines 33-54).

Regarding *claim 19*, Yatsunami discloses the method discussed above in claim 17, and further teaches that the main program operates on the basis of the specification stored in the second memory location (column 13, line 55-column 14, line 31).

Regarding *claim 20*, Yatsunami discloses the method discussed above in claim 17, and further teaches of outputting a parameter of the specification stored in the second memory location (column 13, line 33-column 14, line 31).

Regarding *claim 21*, Yatsunami discloses the apparatus discussed above in claim 2, and further teaches that at least one geographical division-specific parameter is a parameter regarding communication standards adopted in a country (see abstract, column 4, lines 18-37, and column 12, lines 21-26).

Regarding *claim 22*, Yatsunami discloses the apparatus discussed above in claim 8, and further teaches that at least one geographical division-specific parameter is a parameter regarding communication standards adopted in a country (see abstract, column 4, lines 18-37, and column 12, lines 21-26).

Regarding *claim 23*, Yatsunami discloses the method discussed above in claim 13, and further teaches that at least one geographical division-specific parameter is a parameter regarding

communication standards adopted in a country (see abstract, column 4, lines 18-37, and column 12, lines 21-26).

Regarding **claim 24**, Yatsunami discloses the method discussed above in claim 18, and further teaches that at least one geographical division-specific parameter is a parameter regarding communication standards adopted in a country (see abstract, column 4, lines 18-37, and column 12, lines 21-26).

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Fuller et al. (U.S. Patent Number 5,299,257) discloses a facsimile monitoring system; and

Yamamoto (U.S. Patent Number 5,021,889) discloses a facsimile apparatus that attaches a corresponding TTI to a message according to the geographic country code.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622

jrp

